

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: MARGARET HALL

NO. 20-12866-JDW

OBJECTION

Community Bank of Mississippi (“Bank”) objects to the Application of the Chapter 7 Trustee to employ BK Global Real Estate Services to Procure Consented Public Sale Pursuant to 11 U.S.C. §327 (Doc 16) and for cause would show as follows:

1. The Trustee incorrectly claims that the Debtor has not claimed the property as exempt. The Debtor’s exemption contained in Amended Schedule C was filed on January 27, 2021. The Trustee filed his Application on February 8, 2021.
2. The Trustee abandoned the subject property on November 18, 2020, which abandonment was reversed by a subsequent order of this Court (Doc 13) based upon a “discovery” made by the Trustee. That discovery was not revealed. There is nothing new about the subject property. It was listed in the schedules filed on September 29, 2020 along with all encumbrances.
3. As the Trustee knows, the issue of the priority of liens is the subject of Adversary proceeding no. 20-01059-JDW. The Trustee incorrectly recites the present status of lien priority but does confess that there is no equity in the subject property for the benefit of the Estate absent a “surcharge” which the Trustee seeks to create by selling property with no equity in it. This “surcharge” will benefit no one other than the professionals in this proceeding.
4. The Bank objects to the retention of BK Global Real Estate Services and any sale of the subject property by the Trustee. Once the lien priority issue is resolved, the lienholders will resort to their state law remedies. There is absolutely no good reason to incur additional fees and expenses in this no asset case.

WHEREFORE, PREMISES CONSIDERED, Community Bank of Mississippi requests that this Court deny the Application of the Chapter 7 Trustee to employ BK Global Real Estate Services to Procure Consented Public Sale Pursuant to 11 U.S.C. §327 and grant such other relief as is necessary under the circumstances.

DATED: February 26, 2021

COMMUNITY BANK OF MISSISSIPPI

By: /s/ Jeff Rawlings
Its Attorney

CERTIFICATE OF SERVICE

I served a copy of the foregoing on February 26, 2021 via the ECF notification service upon Jeffrey A. Levingston, Locke D. Barkley and the Office of the U. S. Trustee.

/s/ Jeff Rawlings
Jeff Rawlings

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